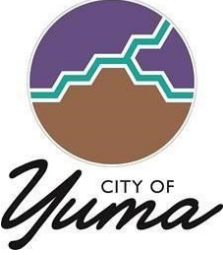


Notice of Public Hearing of the Planning & Zoning Commission of the City of Yuma

Pursuant to A.R.S. § 38-431.02, notice is hereby given to the members of the Planning & Zoning Commission of the City of Yuma and to the general public that the Planning & Zoning Commission will hold a hearing open to the public on June 28, 2021, at 4:30 p.m. at the City Hall Council Chambers, One City Plaza, Yuma, AZ.

	<p style="text-align: center;">Agenda Planning and Zoning Commission Meeting City Hall Council Chambers One City Plaza Yuma, AZ Monday, June 28, 2021, 4:30 p.m.</p>
---	---

A. CALL TO ORDER

- B. CONSENT CALENDAR – All items listed under the consent calendar will be approved by one motion. There will be no separate discussion of these items unless the Commission or a member of the audience wishes to speak about an item.

B.1 APPROVAL OF MINUTES –

June 14, 2021

B.2 WITHDRAWALS BY APPLICANT – NONE

B.3 TIME EXTENSIONS – NONE

B.4 CONTINUANCES –

ZONE-35268-2021: This is a request by The City of Yuma for a Zoning Code Text Amendment to amend Title 15, Chapter 154, Article 10 and Article 16 to update provisions related to residential density and parking in the Old Town (OT) Zoning District. *(Continued to the meeting of July 12, 2021)*

B.5 APPROVALS – NONE

C. ACTION ITEMS-

C.1 **SUBD-34769-2021:** This is a request by Dahl, Robins & Associates, Inc., on behalf of Yucca Land Company, LLC, for the approval of the final plat for the Desert Sands Subdivision Unit 3, proposed to be divided into 122 lots, ranging in size from approximately 5,078 square feet to 13,338 square feet. The property is located at the southwest corner of E. 45th Street and the S. Avenue 8E, Yuma, AZ.

C.2 **ZONE-34686-2021:** This is a request by Dahl, Robins, and Associates, on behalf of Larry C. Fields and Kyle Marie O'Brien, to rezone approximately 7,500 sq. ft. from the Low Density Residential / Infill Overlay (R-1-6/IO) District to the General Commercial / Infill Overlay (B-2/IO) District, for the property located at 1639 S. 6th Avenue, Yuma, AZ. *(Continued from June 14, 2021)*

C.3 **ZONE-35018-2021:** This is a request by Shelly Gillman, on behalf of Mallappa Neelappa, for a rezone of two properties: (1) a 0.60 acre property from the Transitional (TR) District to the Medium Density Residential (R-2) District, for the property located at 2186 W. 24th St.; (2) a 0.58 acre property from the General Commercial (B-2) District to the Medium Density Residential (R-2) District, for the property located at 2212 W. 24th St., Yuma, Arizona.

D. PUBLIC HEARINGS – NONE

E. INFORMATION ITEMS

E.1 STAFF

E.2 COMMISSION

E.3 Public – Members of the public may address the Planning and Zoning Commission on matters that are not listed on the Commission agenda. The Planning & Zoning Commission cannot discuss or take legal action on any matter raised unless it is properly noticed for discussion and legal action. At the conclusion of the call to the public, individual members of the Commission may respond to criticism made by those who have addressed the Commission, may ask staff to review a matter or may ask that a matter be placed on a future agenda. All Planning & Zoning Commission meetings are recorded.

ADJOURN

In accordance with the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973, the City of Yuma does not discriminate on the basis of disability in the admission of or access to, or treatment or employment in, its programs, activities, or services. For information regarding rights and provisions of the ADA or Section 504, or to request reasonable accommodations for participation in City programs, activities, or services contact: ADA/Section 504 Coordinator, City of Yuma Human Resources Division, One City Plaza, Yuma, AZ 85364; (928) 373-5125 or TTY (928) 373-5149.

Notice is hereby given, pursuant to the Yuma City Code, Title 15, Chapter 154, Section 02.01, that one or more members of the Planning and Zoning Commission may participate in person or by telephonic, video or internet conferencing. Voting procedures will remain as required by the Yuma City Charter and other applicable laws.

The Commission may vote to hold an executive session for the purpose of obtaining legal advice from the Commission's attorney on any matter listed on the agenda pursuant to A.R.S. § 38-431.03(A)(3).

Planning and Zoning Commission Meeting Minutes
June 14, 2021

A regular meeting of the City of Yuma Planning and Zoning Commission was held on Monday June 14, 2021, at the City of Yuma Council Chambers, One City Plaza, Yuma, Arizona.

PLANNING AND ZONING COMMISSION MEMBERS present were Chairman Chris Hamel and Commissioners Lorraine Arney, Gregory Counts, Barbara Beam, and Branden Freeman. Vice-Chairman Fred Dammeyer and Commissioner Joshua Scott were absent.

STAFF MEMBERS present included Rodney Short, City Attorney; Randall Crist, Interim DCD Director; Alyssa Linville, Assistant Director DCD; Augustin Cruz, Senior Civil Engineer; Jennifer Albers, Principal Planner; Robert Blevins, Principal Planner; Richard Munguia, Senior Planner; Chad Brown, Associate Planner; Amelia Griffin, Associate Planner; Erika Peterson, Assistant Planner; Alexis Garcia, Assistant Planner; Alejandro Marquez, Administrative Assistant and Lizbeth Sanchez, Administrative Assistant.

Chairman Chris Hamel called the meeting to order at 4:30 p.m., and noted there was a quorum present.

Hamel introduced Commissioner Branden Freeman

CONSENT CALENDAR

MINUTES – May 24, 2021

WITHDRAWALS BY APPLICANT – None

CONTINUANCES –

ZONE-34686-2021: *This is a request by Dahl, Robins, and Associates, on behalf of Larry C. Fields and Kyle Marie O'Brien, to rezone approximately 8,346 sq. ft. from the Low Density Residential / Infill Overlay (R-1-6/IO) District to the General Commercial / Infill Overlay (B-2/IO) District, for the property located at 1639 S. 6th Avenue, Yuma, AZ. (Continued to June 28, 2021)*

APPROVALS –

SUBD-34272-2021: *This is a request by Dahl, Robins & Associates, Inc., on behalf of KDC of Yuma, LLC, for approval of the final plat for the Patagonia Subdivision. This subdivision will contain approximately 29.4 acres, and is proposed to be divided into 21 residential lots, ranging in size from 43,608 square feet to 90,529 square feet. The property is located near the southeast corner of Avenue 9E and 24th Street, Yuma, AZ.*

Motion by Counts, second by Arney, to APPROVE the Consent Calendar, with the exception of ZONE-34686-2021 which was continued to June 28, 2021, and moved SUBD-34565-2021 to the Action Items of the Agenda. Motion carried unanimously, (5-0) with two absent.

Action Items –

SUBD-34565-2021: *This is a request by Dahl, Robins & Associates, Inc., on behalf of Yuma's Driftwood Development, LLC, for approval of the final plat for the Driftwood Ranch Unit No. 2 Subdivision. This subdivision will contain approximately 30 acres, and is proposed to be divided into 87 residential lots, ranging in size from 8,699 square feet to 24,469 square feet. The property is located at the southeast corner of S. Avenue 5½E and E. 44th Street, Yuma, AZ.*

Alyssa Linville, Assistant Director DCD, summarized the staff report and recommended **APPROVAL**, noting the requested change to Condition #10, as reflected on the Yellow Sheet provided to the Commissioners.

QUESTIONS FOR STAFF

Hamel asked if the City had any issues with the changes that the applicant had made to the proposed project. **Linville** replied no.

APPLICANT/APPLICANT'S REPRESENTATIVE

None

PUBLIC COMMENT

None

Motion by Arney, second by Counts to APPROVE SUBD-34565-2021 subject to the Conditions of Approval in Attachment A, with the modification to Condition #10, which now reads "The following lots within the Driftwood Ranch Unit No. 2 Subdivision are permitted to deviate from typical setback requirements as required of the zoning district: lots 143, 144, 147, 148, 149, 163 and 172. The final plat shall indicate that these lots are subject to possible setback deviations." Motion carried unanimously (5-0), with two absent.

CUP-34403-2021: *This is a request by Core Engineering Group, on behalf of Maha LLC and Jim Smith, for a Conditional Use Permit to allow an industrial use (commercial sales in light industrial) within 600' of residential in the Light Industrial/Infill Overlay (L-I/O) District, on the property located at 299 W. 17th St., Yuma, AZ.*

Chad Brown, Associate Planner, summarized the staff report and recommended **APPROVAL**.

QUESTIONS FOR STAFF

None

APPLICANT/APPLICANT'S REPRESENTATIVE

None

PUBLIC COMMENT

None

Motion by Counts, second Beam by to APPROVE CUP-34403-2021 as presented, subject to the Conditions of Approval in Attachment A. Motion carried unanimously (5-0), with two absent.

ZONE-34804-2021: *This is a request by Core Engineering Group, PLLC, on behalf of Rogelio Sosa Palos and Ma Del Pilar Soto Martinez, to rezone approximately 3.13 acres from the Light Industrial (L-I) District to the Medium Density Residential (R-2) District, while maintaining the existing Infill Overlay (IO) District, for the property located at the northwest corner of Avenue A and 11th Street.*

Amelia Griffin, Associate Planner, summarized staff report and recommended **APPROVAL**.

QUESTIONS FOR STAFF

Counts asked what types of businesses surrounded the proposed project. **Griffin** replied that to the north was an industrial warehouse, and to the east of Avenue A was a church and apartments. **Counts** then asked if the noise coming from those businesses was going to affect the residents of the proposed project. **Griffin** replied no.

APPLICANT/APPLICANT'S REPRESENTATIVE

None

PUBLIC COMMENT

Charles Bub, 1133 S. 12th Ave Yuma AZ, 85364, stated that he never received a notice of the neighborhood meeting, then added he was not opposed to the proposed project.

William Benavides, 1102 S. Avenue A Yuma AZ, 85364, stated that he did not oppose the development of the proposed project, then suggested that the City consider putting up a signal light and a speed bump on the corner of 11th Street and Avenue A, because of the speeding that occurs on Avenue A.

Catherine Marie-Sebile, 1155 S. 12th Avenue, stated that she did not receive any notice of the development of the proposed project and of the neighborhood meeting, then expressed concern about the increase in traffic and noise in the area.

Hamel then asked if the notification letters that get sent out only go to the property owners that live within the 300' area of the proposed project. **Griffin** replied yes.

Hamel then expressed concern about the disappearance of the notices posted on the property, then added that the City and developers take into consideration the concerns of the public on the traffic on Avenue A.

Beam asked what types of homes will be built on the property. **Kevin Burge, Core Engineering Group**, stated that the current plan is to build small single-family homes and townhomes.

Counts asked if the City had done any kind of traffic study on Avenue A. **Augustin Cruz, Senior Civil Engineer**, stated that he had been made aware of complaints on the traffic on Avenue A, but was not aware of a current traffic study being done. **Counts** said he was concerned by the semi-truck traffic coming from the old Pepsi plant. **Hamel** asked if the old Pepsi plant was under private ownership and not being used at this time. **Griffin** replied yes.

Beam stated that she was very excited that the property was being changed from Light Industrial to Medium Density Residential and would like to see a traffic study done.

Motion by Beam , second by Arney to APPROVE ZONE-34804-2021 as presented, subject to the Conditions of Approval in Attachment A. Motion carried unanimously (5-0), with two absent.

INFORMATION ITEMS

Staff

None

Commission

None

Public

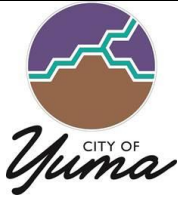
None

ADJOURNMENT

Hamel adjourned the meeting at 5:01 p.m.

Minutes approved this _____ day of _____, 2021

Chairman



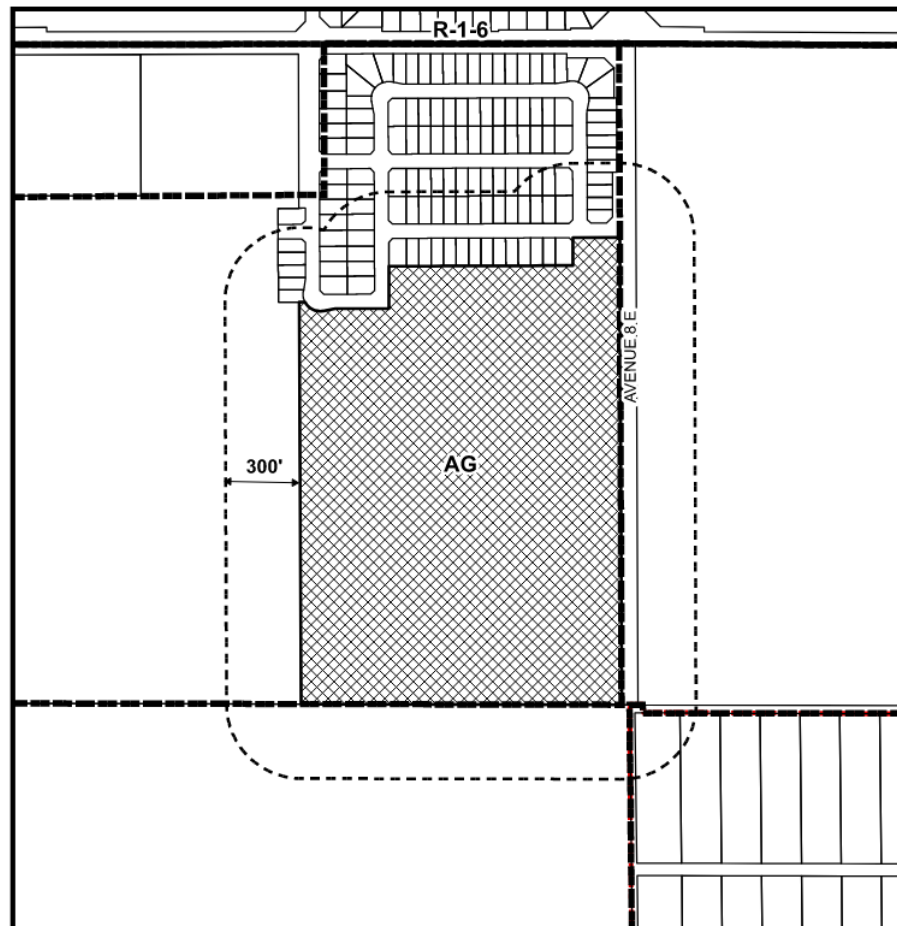
**STAFF REPORT TO THE PLANNING AND ZONING COMMISSION
DEPARTMENT OF COMMUNITY DEVELOPMENT
COMMUNITY PLANNING DIVISION
CASE TYPE – FINAL SUBDIVISION
CASE PLANNER: RICHARD MUNGUIA**

Hearing Date: June 28, 2021 **Case Number:** SUBD-34769-2021

Project Description/Location: This is a request by Dahl, Robins & Associates, Inc., on behalf of Yucca Land Company, LLC, for the approval of the final plat for the Desert Sands Subdivision Unit 3, proposed to be divided into 122 lots, ranging in size from approximately 5,078 square feet to 13,338 square feet. The property is located at the southwest corner of E. 45th Street and the S. Avenue 8E, Yuma, AZ.

	Existing Zoning	Existing Land Use	Designated Land Use
Site	Low Density Single-Family Residential (R-1-5)	Future Single-Family Subdivision	Low Density Residential
North	Low Density Single-Family Residential (R-1-5)	Future Single-Family Subdivision	Low Density Residential
South	Agriculture (AG)	Undeveloped	Rural Density Residential
East	Agriculture (AG)	Undeveloped	Low Density Residential
West	Medium Density Single-Family Residential (R-2-5)	Undeveloped	Low Density Residential

Location Map



Prior site actions: Annexation: Ord. O97-81 (January 2, 1998); General Plan Amendment: Res. R2004-89 (December 13, 2014; Suburban Density Residential to Low Density Residential/Commercial); Rezone: Ordinance 2019-014 (March 6, 2019 – AG to R-1-5); Subdivision: Desert Sands Subdivision Unit 3 Preliminary Plat – SUBD-33735-2021 (April 12, 2021).

Staff Recommendation: Staff recommends **APPROVAL** of the final plat for the Desert Sands Subdivision Unit 3, subject to the conditions outlined in Attachment A.

Suggested Motion: Move to **APPROVE** Final Plat SUBD-34769-2021 as presented, subject to the staff report, information provided during this hearing, and the conditions in Attachment A.

Effect of the Approval: By approving the final plat, the Planning and Zoning Commission is authorizing the design of Desert Sands Subdivision Unit 3, for the property located at the southwest corner of E. 45th Street and S. Avenue 8E subject to the conditions of the rezone, the preliminary plat and the conditions outlined in Attachment A, and affirmatively finds that the request substantially conforms to the approved preliminary plat, is in conformance with the City of Yuma Subdivision Code and General Plan and is compatible with surrounding land uses.

Staff Analysis: The subject property was annexed into the City of Yuma on January 2, 1998 and rezoned to the Low Density Single-Family Residential (R-1-5) District in 2019. The subject property is currently undeveloped and is intended to be the third phase of the Desert Sands Subdivision.

The subject property consists of approximately 24.2599 acres. This subdivision will be developed with frontage along Avenue 8 E, and 44th Street. The applicant is proposing to develop the area with 122 single-family homes. The applicant is proposing lot sizes to range from 5,078 square feet to 13,338 square feet. As discussed in further detail in §154-05.05, the following are some of the main development standards required of development within the Low Density Single-Family Residential (R-1-5) District:

1. The maximum density in the Low Density Single-Family Residential (R-1-5) District shall be one unit per 5,000 square feet of land (meeting the density as identified in the General Plan);
2. The maximum lot coverage in the Low Density Single-Family Residential (R-1-5) District shall be 35% of the lot area;
3. A minimum front yard setback of twenty feet;
4. The minimum side yard setbacks shall be five feet on one side; and nine feet on the other side;
5. A minimum rear yard setback of ten feet;
6. A minimum street side yard setback of ten feet;
7. The side and rear yards shall have six foot solid block walls on the property lines; and
8. Each lot in the Low Density Single-Family Residential (R-1-5) District shall have a minimum of one 15-gallon street tree and accompanying underground irrigation system.

With this development Staff will be requiring that a Municipal Improvement District (MID) be established for the maintenance of required subdivision landscaping. The MID will need to be established prior to the issuance of any residential building permits.

1. Does the subdivision comply with the zoning code and the zoning district development standards?

Yes.

2. Does the subdivision comply with the subdivision code requirements?

Standard	Subdivision							Conforms				
Lot Size	Minimum:	5,078 sq ft			Maximum:	13,338 sq ft		Yes	X	No		
Lot Depth	Minimum:	102 ft			Maximum:	139.18 ft		Yes	X	No		
Lot Width/Frontage	Minimum:	50 ft			Maximum:	60 ft		Yes	X	No		
Setbacks	Front:	20'	Rear:	10'	Side:	5' on one side 9' on the other		Yes	X	No		
District Size	24.25	Acres							Yes	X	No	
Density	5.0	Dwelling units per acre							Yes	X	No	
Issues: None												

Requirements	Conforms					
General Principles	Yes	X	No		N/A	
Streets	Conforms					
Circulation	Yes	X	No		N/A	
Arterial Streets	Yes	X	No		N/A	
Existing Streets	Yes		No		N/A	X
Cul-de-sacs	Yes		No		N/A	X
Half Streets	Yes		No		N/A	X
Stub Streets	Yes	X	No		N/A	
Intersections	Yes	X	No		N/A	
Easements	Yes	X	No		N/A	
Dimensional Standards	Yes	X	No		N/A	
Issues: None						

Blocks	Conforms					
Length	Yes	X	No		N/A	
Irregular Shape	Yes		No		N/A	X
Orientation to Arterials	Yes		No		N/A	X
Business or Industrial	Yes		No		N/A	X
Issues: None						

Lots	Conforms					
Minimum Width	Yes	X	No		N/A	
Length and Width Ratio	Yes	X	No		N/A	
Fronting on Arterials	Yes		No		N/A	X
Double Frontage	Yes		No		N/A	X
Side Lot Lines	Yes	X	No		N/A	
Corner Lots	Yes	X	No		N/A	
Building Sites	Yes	X	No		N/A	
Street Frontage	Yes	X	No		N/A	
Issues: None						

3. Does the subdivision comply with the elements, plans and policies of the General Plan?

Land Use Element:									
Land Use Designation:				Low Density Residential					
Issues:				None					
Historic District:	Brinley Avenue			Century Heights		Main Street		None	X
Historic Buildings on Site:			Yes		No	X			

Transportation Element:														
FACILITY PLANS														
TRANSPORTATION MASTER PLAN			Planned		Existing		Gateway		Scenic		Hazard		Truck	
Avenue 7 ½E			40 FT H/W ROW		50 FT H/W ROW									
40 th Street			40 FT H/W ROW		50 FT H/W ROW									
Bicycle Facilities Master Plan			E. 32 nd Street: Existing Bike Path											
YCAT Transit System			N/A											
Issues:			None											
Parks, Recreation and Open Space Element:														
Parks and Recreation Facility Plan														
Neighborhood Park:			Existing: Saguaro Park					Future: Saguaro Park						
Community Park:			Existing: None					Future: South Mesa						
Linear Park:			Existing: None					Future: A Canal Linear Park						
Issues:			Minimal access to nearby facilities.											
Housing Element:														
Special Need Household:			N/A											
Issues:			None											
Redevelopment Element:														
Planned Redevelopment Area:			N/A											
Adopted Redevelopment Plan:			North End:				Carver Park:				None:		X	
Conforms:			Yes				No				N/A			
Conservation, Energy & Environmental Element:														
Impact on Air or Water Resources			Yes				No		X					
Renewable Energy Source			Yes				No		X					
Issues:			None											
Public Services Element:														
Population Impacts Population projection per 2013-2017 American Community Survey Police Impact Standard: 1 officer for every 530 citizens; Water Consumption: 300 gallons per day per person; Wastewater generation: 100 gallons per day per person			Dwellings & Type		Projected Population		Police Impact		Water Consumption		Wastewater Generation			
			<i>Single Family</i>											
			Proposed	Per Unit			Officers		GPD	AF	GPD			
			122	2.8	342		0.64		102,480	114.8	34,160			
Fire Facilities Plan:			Existing: Fire Station No. 5					Future: Fire Station No. 7						
Water Facility Plan:			Source:	City	X	Private		Connection	20" PVC @ E. 45 th Street					
Sewer Facility Plan:			Treatment:	City	X	Septic		Private	12" PVC @ E. 45 th Street					
Issues:			Water and sewer lines will need to be extended to provide services for the future development.											
Safety Element:														
Flood Plain Designation:			Flood Zone X		Liquefaction Hazard Area:				Yes		No		X	
Issues:			None											
Growth Area Element:														
Growth Area:		Araby Rd & Interstate 8				Arizona Ave & 16 th St				Avenue B & 32 nd St.				
		North End				Pacific Ave & 8 th St				Estancia		None X		
Issues:			None											

4. Does the subdivision comply with the conditions of the rezoning?

Yes.

5. Does the subdivision comply with the conditions of the preliminary plat?

Yes.

6. Is the final plat consistent with the preliminary plat that was approved?

Yes.

Public Comments Received:

None Received.

External Agency Comments:

See Attachment G.

Neighborhood Meeting Comments:

No Meeting Required.

Proposed conditions delivered to applicant on:

June 3, 2021

Final staff report delivered to applicant on:

June 14, 2021

<input type="checkbox"/>	Applicant agreed with all of the conditions of approval on: (enter date)
<input type="checkbox"/>	Applicant did not agree with the following conditions of approval: (list #'s)
<input checked="" type="checkbox"/>	If the Planner is unable to make contact with the applicant – describe the situation and attempts to contact. E-mailed applicant, awaiting reply.

Attachments

A	B	C	D	E	F	G	H
Final Plat Conditions of Approval	Final Plat Map	Preliminary Plat Map	Rezone Conditions	Preliminary Plat Conditions	Agency Notifications	Agency Comments	Aerial Photo

Prepared By:
Richard Munguia
Senior Planner



Date: June 9, 2021

Richard.Munguia@YumaAZ.gov (928)373-5000, x3070

Approved By:
Alyssa Linville,
Assistant Director Community Development



Date: 06/16/2021

**ATTACHMENT A
FINAL PLAT
CONDITIONS OF APPROVAL**

The following conditions of approval have been determined to have a reasonable nexus to the requested subdivision application and are roughly proportionate to the impacts associated with the subdivision and expected development on the property.

Community Development Comments: Alyssa Linville, Assistant Director, Community Development, (928) 373-5000, x 3037:

1. The conditions are in addition to City codes, rules, fees and regulations that are applicable to this action.
2. The Owner's signature on the application for this land use action request takes the place of the requirement for a separate notarized and recorded "Waiver of Claims" document.
3. The Owner shall submit to the City of Yuma, for recordation, a signed and notarized Avigation Easement on the property acknowledging potential noise and overflight of aircraft from both daily and special operations of the Marine Corps Air Station and the Yuma International Airport.

City Attorney Comments: (928) 373-5058:

4. The rights-of-way must be dedicated free and clear to the City, and all easements in the right-of-way must be vacated unless the easement is specifically presented to the City, and the City specifically approves its acceptance. Approval of the plat is not approval of an easement in the right-of-way.
5. Any easements on other property in the subdivision must be vacated to the extent that they would require a utility, licensed cable operator, or other licensed or franchised communications system (collectively, the "utilities") to:
 - a. pay to cross the easement to reach any structure on the lot;
 - b. prevent the utilities from providing service to any structure on a lot; or
 - c. effectively prevent any entity authorized to place facilities in a utility easement from using the easements or accessing potential customers passed by the easement.
6. Approval of the plat does not authorize the maintenance or installation of any facility in the rights of way, whether or not contemplated by the plat, without a license, franchise, or similar authorization issued by the City.

Engineering Comments: Andrew McGarvie, Engineering Manager (928)373-5000, x 3044:

7. All exterior subdivision fencing shall be constructed of masonry. Access gates, whether vehicular or pedestrian, shall not be permitted along the exterior masonry fencing for the subdivision phase, including fencing along Avenue 8E. Such fencing can be removed during the construction of pools, in order to access utility or drainage easements, or during other residential construction; however, such masonry fencing and adjacent landscaping will need to be replaced accordingly.

Community Planning Conditions: Richard Munguia, Senior Planner, (928) 373-5000, x3070

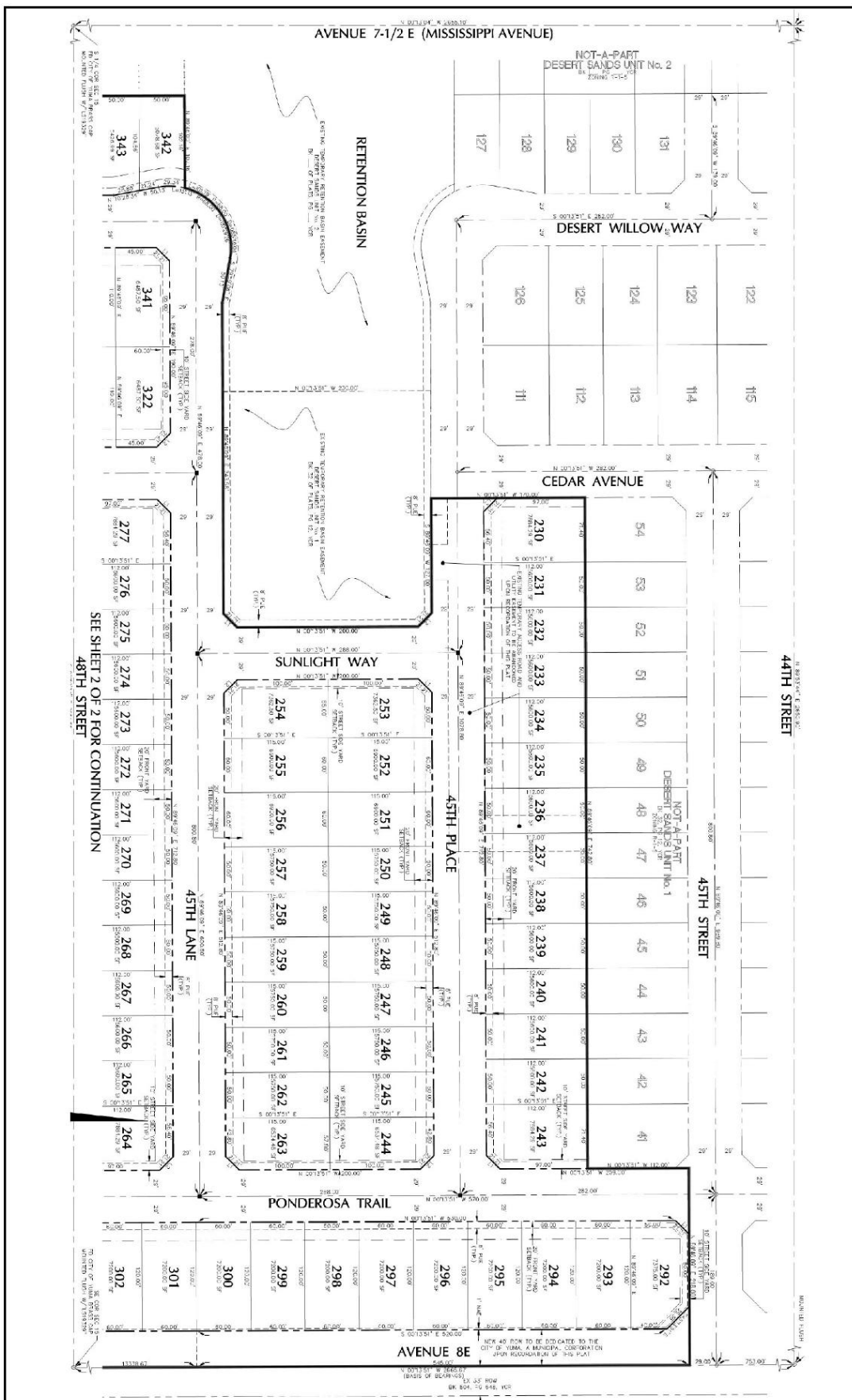
8. A time frame of build-out for the subdivision shall be submitted to the Yuma High School District to enable the districts to adequately plan for future school facilities.
9. An 8 ½" X 11" paper copy of this subdivision plat, showing the location of the group mailboxes and signed as APPROVED by the local Yuma Postmaster, shall be submitted to the City within sixty (60) calendar days of the effective date of approval of the subdivision final plat and prior to the issuance of

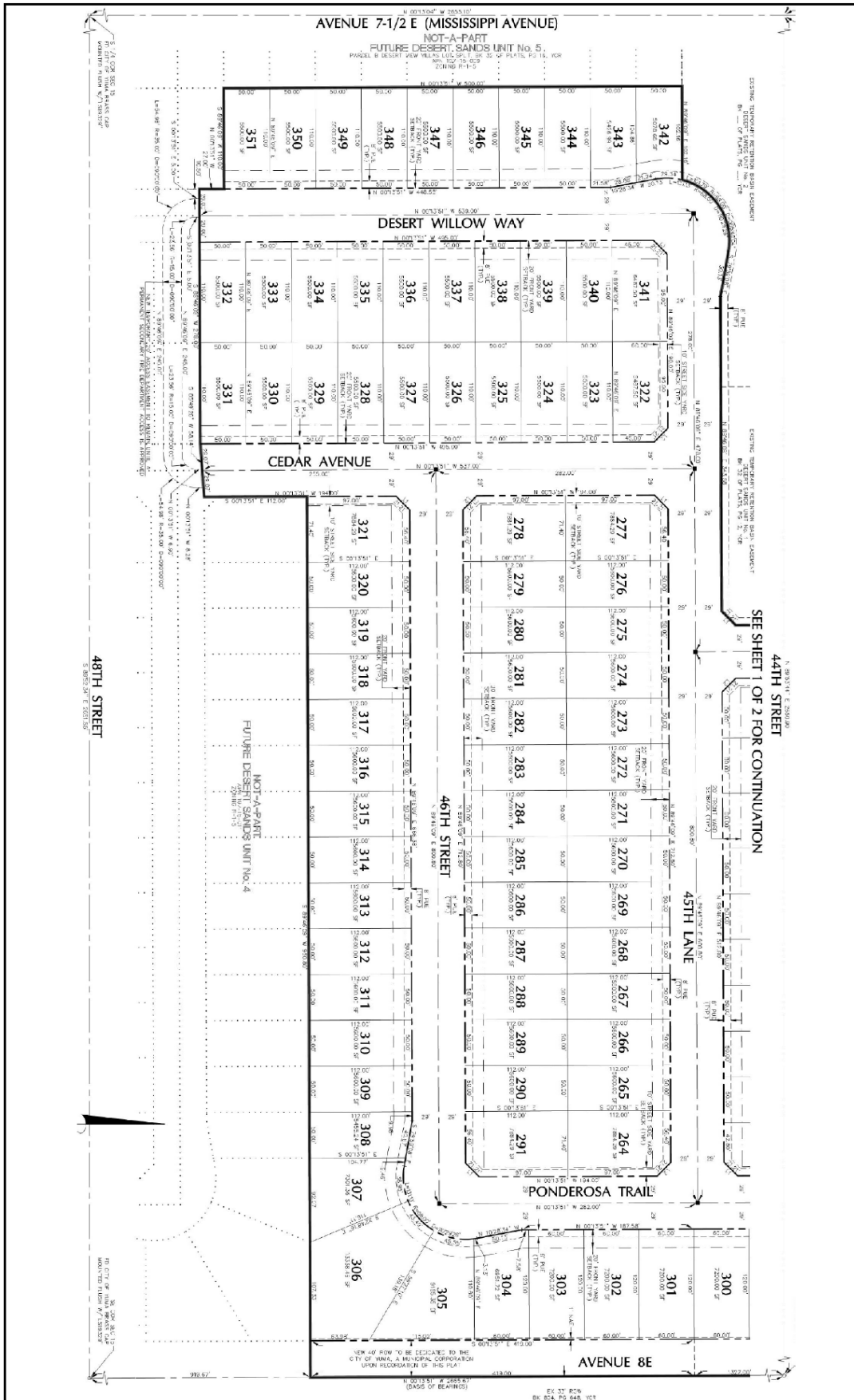
any building permit. In the event this condition is not completed within this time frame, the approval of the plat is null and void.

10. The Owner/Developer shall be required to establish a Municipal Improvement District (MID) prior to the recording of a final plat.
11. After the final plat has been approved by City Council, the applicant/developer shall have two years to record the approved plat, or the final plat approval shall be null and void.

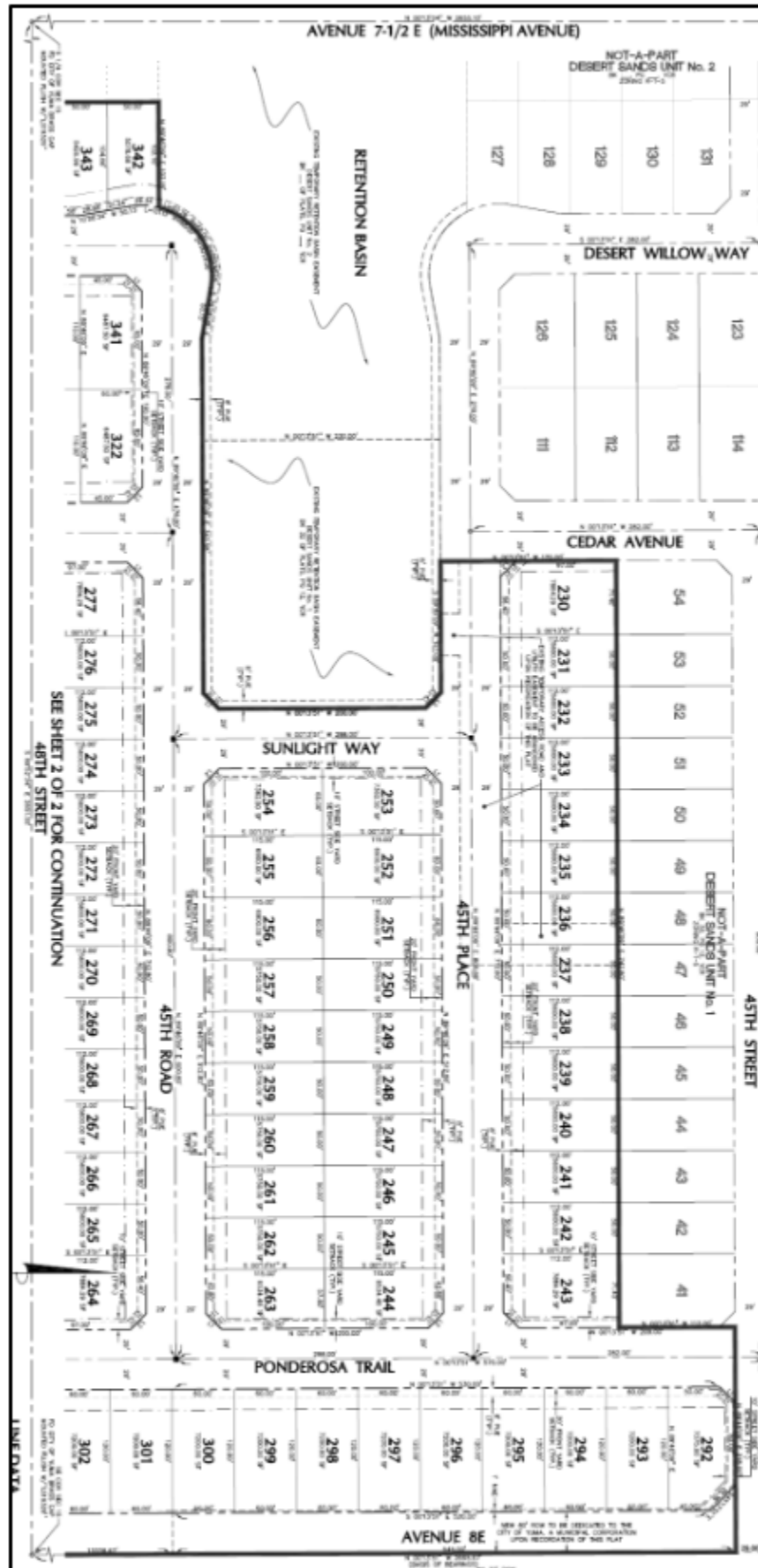
Any questions or comments regarding the Conditions of Approval as stated above should be directed to the staff member who provided the comment. Name and phone numbers are provided.

ATTACHMENT B FINAL PLAT MAP





ATTACHMENT C PRELIMINARY PLAT MAP





**ATTACHMENT D
REZONE CONDITIONS**

**ATTACHMENT A
CONDITIONS OF APPROVAL**

The following conditions have been found to have a reasonable nexus and are roughly proportionate to the impact of the proposed rezone for the site:

Department Of Community Development Comments: Laurie Lineberry, Community Development Director (928) 373-5175:

1. The conditions listed below are in addition to City codes, rules, fees and regulations that are applicable to this action.
2. The Owner shall submit to the City of Yuma, for recordation, a signed and notarized "Waiver of Claims under the Private Property Rights Protection Act." The Waiver shall be submitted prior to the issuance of any building permit, Certificate of Occupancy, or City of Yuma Business License for this property.
3. The Owner shall submit to the City of Yuma, for recordation, a signed and notarized Avigation Easement on the property acknowledging potential noise and overflight of aircraft from both daily and special operations of the Marine Corps Air Station and the Yuma International Airport.

Community Planning, Alyssa Linville, Principal Planner, (928) 373-5000, ext. 3037:

4. Each of the conditions listed above shall be completed within two (2) years of the effective date of the rezoning ordinance or prior to the issuance of a Building Permit, Certificate of Occupancy or City of Yuma Business License for this site, whichever occurs first. If the conditions of approval are not completed within the above timeframe then the rezone shall be subject to ARS § 9-462.01.

Any questions or comments regarding the Conditions of Approval as stated above should be directed to the staff member who provided the comment. Name and phone numbers are provided.

**ATTACHMENT E
PRELIMINARY PLAT CONDITIONS**

**ATTACHMENT A
PRELIMINARY PLAT
CONDITIONS OF APPROVAL**

The following conditions of approval have been determined to have a reasonable nexus to the requested subdivision application and are roughly proportionate to the impacts associated with the subdivision and expected development on the property.

Community Development Comments: Alyssa Linville, Assistant Director, Community Development, (928) 373-5000, x 3037:

1. The conditions are in addition to City codes, rules, fees and regulations that are applicable to this action.
2. The Owner's signature on the application for this land use action request takes the place of the requirement for a separate notarized and recorded "Waiver of Claims" document.

City Attorney Comments: (928) 373-5058:

3. The rights-of-way must be dedicated free and clear to the City, and all easements in the right-of-way must be vacated unless the easement is specifically presented to the City, and the City specifically approves its acceptance. Approval of the plat is not approval of an easement in the right-of-way.
4. Any easements on other property in the subdivision must be vacated to the extent that they would require a utility, licensed cable operator, or other licensed or franchised communications system (collectively, the "utilities") to:
 - a. pay to cross the easement to reach any structure on the lot;
 - b. prevent the utilities from providing service to any structure on a lot; or
 - c. effectively prevent any entity authorized to place facilities in a utility easement from using the easements or accessing potential customers passed by the easement.
5. Approval of the plat does not authorize the maintenance or installation of any facility in the rights of way, whether or not contemplated by the plat, without a license, franchise, or similar authorization issued by the City.

Engineering Comments: Agustin Cruz, Senior Civil Engineer (928) 373-5182:

6. The owner/developer and subsequent property owners shall not construct any gate or provide access locations crossing the 1 foot non-access easement (1' NAE) as listed in this subdivision plat.

Fire Department Comments: Kayla Franklin, Fire Marshal, (928) 373-4865:

7. Please submit revised drawing connecting Desert Willow Way and Cedar Avenue.

Community Planning Conditions: Richard Munguia, Senior Planner, (928) 373-5000, x3070:

8. The Owner shall submit a final plat within three (3) year of Preliminary Plat approval. Should a Final Plat not be submitted within three (3) year of the effective date of approval of the Preliminary Plat, the approval of this Preliminary Plat shall be null and void, unless the conditions are contained in an executed Pre-development Agreement.

Any questions or comments regarding the Conditions of Approval as stated above should be directed to the staff member who provided the comment. Name and phone numbers are provided.

ATTACHMENT F
AGENCY NOTIFICATIONS

- **Legal Ad Published: The Sun** 06/04/2021
- **300' Vicinity Mailing:** 05/10/2021
- **34 Commenting/Reviewing Agencies noticed:** 05/13/2021
- **Site Posted on:** 06/21/2021
- **Neighborhood Meeting:** N/A
- **Hearing Date:** 06/28/2021
- **Comments due:** 05/24/2021

External List (Comments)	Response Received	Date Received	"No Comment"	Written Comments	Comments Attached
Yuma County Airport Authority	X	05/17/2021	X		
Yuma County Engineering	NR				
Yuma County Public Works	NR				
Yuma County Water Users' Assoc.	NR				
Yuma County Planning & Zoning	NR				
Yuma County Assessor	NR				
Arizona Public Service	NR				
Time Warner Cable	NR				
Southwest Gas	NR				
Qwest Communications	NR				
Bureau of Land Management	NR				
YUHS District #70	NR				
Yuma Elem. School District #1	NR				
Crane School District #13	NR				
A.D.O.T.	X	05/11/2021	X		
Yuma Irrigation District	NR				
Arizona Game and Fish	NR				
USDA – NRCS	NR				
United States Postal Service	NR				
Yuma Metropolitan Planning Org.	NR				
El Paso Natural Gas Co.	NR				
Western Area Power Administration	X	05/1/2021	X		
City of Yuma Internal List (Conditions)	Response Received	Date Received	"No Conditions"	Written Conditions	Comments Attached
Police	NR				
Parks & Recreation	NR				
Development Engineer	NR				
Fire	X	05/18/2021	X		
Building Safety	NR				
City Engineer	NR				
Traffic Engineer	NR				
MCAS / C P & L Office	X	05/20/2021		X	X
Utilities	NR				
Public Works	NR				
Streets	NR				


ATTACHMENT G
AGENCY COMMENTS

☒ Condition(s)

☐ No Condition(s)

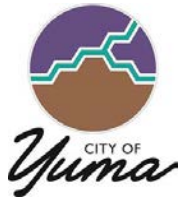
☐ Comment

Enter conditions here: MCAS Yuma has reviewed the request for APN 197-15-011 and we offer the following conditions. The subject parcel is located approximately 1 mile from the northern boundary of the Barry M. Goldwater Range-West (BMGR-W) and as such is subject to the requirements of the BMGR Buffer Zone. It is requested that Avigation easement and Range Disclosure Statements be recorded that recognizes the noise, interference or vibrations due to aviation operations that may occur at the nearby Marine Corps Air Station Yuma/Yuma International Airport Aviation Complex/BMGR-W Range and its associated flight paths. Please send a copy of the recorded easements to MCASYUMA_CPLO@usmc.mil. Thank you for the opportunity to review and comment.

DATE:	20 May 2021	NAME:	Antonio Martinez	TITLE:	Community Liaison Specialist
CITY DEPT:	MCAS Yuma				
PHONE:	928-269-2103				
RETURN TO:	Alyssa Linville				
	Alyssa.Linville@YumaAZ.gov				

ATTACHMENT H
AERIAL PHOTO





STAFF REPORT TO THE PLANNING AND ZONING COMMISSION
DEPARTMENT OF COMMUNITY DEVELOPMENT
COMMUNITY PLANNING DIVISION
CASE TYPE – REZONE
CASE PLANNER: BOB BLEVINS

Hearing Date: June 28, 2021

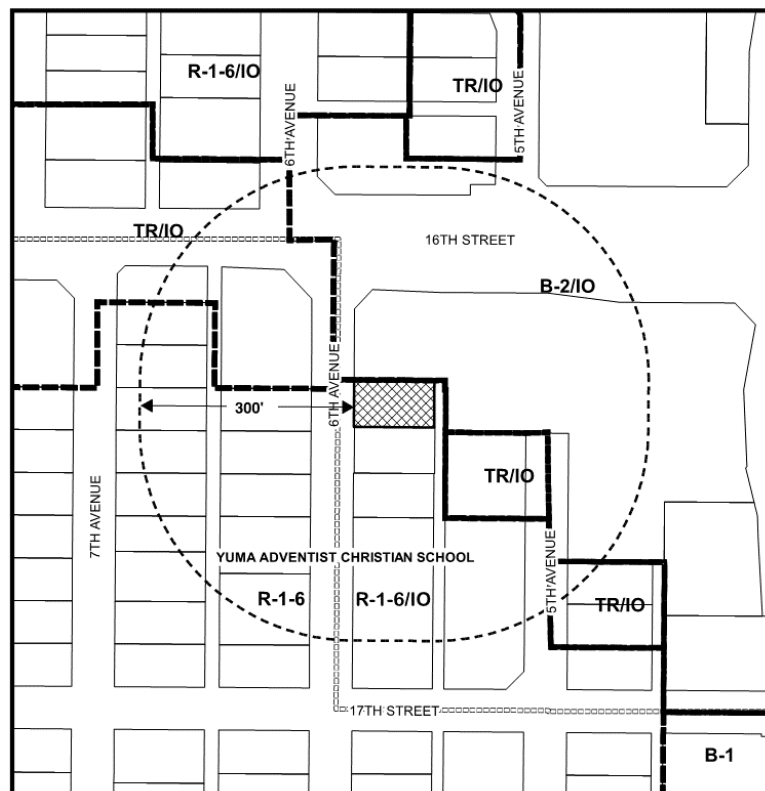
Case Number: ZONE-34686-2021

Project Description/Location:

This is a request by Dahl, Robins, and Associates, on behalf of Larry C. Fields and Kyle Marie O'Brien, to rezone approximately 8,346 sq. ft. from the Low Density Residential / Infill Overlay (R-1-6/IO) District to the General Commercial / Infill Overlay (B-2/IO) District, for the property located at 1639 S. 6th Avenue, Yuma, AZ.

	Existing Zoning	Use(s) on-site	General Plan Designation
Site	Low Density Residential / Infill Overlay (R-1-6/IO)	Single-family home	Low Density Residential
North	General Commercial / Infill Overlay (B-2/IO)	Vacant	Commercial
South	Low Density Residential / Infill Overlay (R-1-6/IO)	Single-family home	Low Density Residential
East	General Commercial / Infill Overlay (B-2/IO)	Vacant	Low Density Residential
West	Low Density Residential (R-1-6)	Single-family home	Low Density Residential

Location Map



Prior site actions: Annexation: #742 (04/22/1958); Subdivision: Orange Grove Subdivision (02/25/1948).

Staff Recommendation: Staff recommends **APPROVAL** of the rezoning from the Low Density Residential / Infill Overlay (R-1-6/IO) District to the General Commercial / Infill Overlay (B-2/IO) District, subject to the conditions shown in Attachment A.

Suggested Motion: Move to **APPROVE** Rezone ZONE-34686-2021 as presented, subject to the staff report, information provided during this hearing, and the conditions in Attachment A.

Effect of the Approval: By approving the rezone, the Planning and Zoning Commission is recommended approval to City Council for the request from the Low Density Residential / Infill Overlay (R-1-6/IO) District to the General Commercial / Infill Overlay (B-2/IO) District, for the property located at 1639 S. 6th Avenue, Yuma, AZ., subject to the conditions outlined in Attachment A, and affirmatively finds that the request is in conformance with the City of Yuma General Plan.

Staff Analysis: The subject property is approximately 65 feet by 128.4 feet fronting on 6th Avenue with an unused alley behind the lot. There presently is a single-family home on the property built in 1953. To the north and east is vacant land.

The applicant states the purpose of the rezoning is:

“To augment the parcel to the north of the subject property for development purposes. This will help the development possibilities of that parcel that will ultimately improve the access and development of the development site a 16th Street and 4th Avenue.”

The General Commercial (B-2) District has a minimum parcel size of 12,000 square feet. This parcel is approximately 8,346 square feet. In such cases the zoning code requires these smaller parcels to be incorporated into a development plan / lot tie to avoid the need for future variances as this parcel will become part of a larger property. A condition of approval will be the requirement of a lot tie to alleviate any setback and development issues.

1. Does the proposed zoning district conform to the Land Use Element?

Land Use Element:									
Land Use Designation:				Low Density Residential					
Issues:				Since parcel is small and adjacent to other B-2 zoning- no issues.					
Historic District:	Brinley Avenue			Century Heights		Main Street		None	X
Historic Buildings on Site:		Yes		No	X				

2. Are there any dedications or property easements identified by the Transportation Element?

No.

FACILITY PLANS

Transportation Master Plan	Planned	Existing	Gateway	Scenic	Hazard	Truck
6 th Avenue- Local Street	29 FT H/W ROW	30 FT H/W ROW	N/A	N/A	N/A	N/A
Bicycle Facilities Master Plan	None					
YCAT Transit System	Yellow Route- 4 th Avenue					
Issues:	None					

3. Does the proposed rezoning of the property conform to the remaining elements of the general plan?

Yes.

Parks, Recreation and Open Space Element:

Parks and Recreation Facility Plan		
Neighborhood Park:	Joe Henry Optimist Park	None proposed
Community Park:	None existing	None proposed
Linear Park:	None	None proposed
Issues:	None	

Housing Element:

Special Need Household:	N/A
Issues:	None

Redevelopment Element:

Planned Redevelopment Area:	Yuma North End Redevelopment Area					
Adopted Redevelopment Plan:	North End:		Carver Park:		None:	
Conforms:	Yes	X	No			

Conservation, Energy & Environmental Element:

Impact on Air or Water Resources	Yes		No	X	
Renewable Energy Source	Yes		No	X	
Issues:	None				

Public Services Element:

Population Impacts Population projection per 2013-2017 American Community Survey Police Impact Standard: 1 officer for every 530 citizens; Water Consumption: 300 gallons per day per person; Wastewater generation: 100 gallons per day per person	Dwellings & Type <i>Non-residential</i>		Projected Population	Police Impact	Water Consumption		Wastewater Generation
	Maximum	Per Unit		Officers	GPD	AF	GPD
	0	0	0	0.00	0	0.0	0
	Minimum						
	0	0	0	0.00	0	0.0	0
Fire Facilities Plan: Fire Station #3							
Water Facility Plan:	Source:	City	X	Private		Connection:	4" Concrete pipe in alley.
Sewer Facility Plan:	Treatment:	City	X	Septic		Private	Connection: 8" Vitrified clay pipe in alley.
Issues:	None						

Safety Element:

Flood Plain Designation:	Zone X	Liquefaction Hazard Area:	Yes		No	X
Issues:	None					

Growth Area Element:									
Growth Area:	Araby Rd & Interstate 8			Arizona Ave & 16 th St			Avenue B & 32 nd St.		
	North End		Pacific Ave & 8 th St		Estancia		None	X	
Issues:	None								

4. Does the proposed rezoning conform to the adopted facilities plan?

Yes

5. Does the proposed rezoning conform to Council's prior approval of rezonings, development agreements or subdivisions for this site?

Yes

Public Comments Received:

Name:	Judy Phillips				Contact Information:	928-580-7417			
Method of Contact:	Phone	X	FAX		Email		Letter		Other
"I own next to it. I would like to live next to a house- not a parking lot."									

Name:	Ginger Rico				Contact Information:	928-343-1541			
Method of Contact:	Phone	X	FAX		Email		Letter		Other
<p>"Not happy about it. Too much commercial. More commercial businesses will bottle it up more at the intersection [4th and 16th]. These things are done without thinking about how it affects us. Blinded by health care neon sign now, the light reflects into houses. We feel our voices are not heard and decisions are already made. Have lived here 40 years, time for us to get out."</p>									

External Agency Comments: None Received.

Neighborhood Meeting Comments: No Meeting Required.

Proposed conditions delivered to applicant on: May 13, 2021

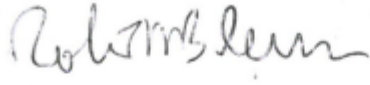
Final staff report delivered to applicant on: May 31, 2021

<input checked="" type="checkbox"/>	Applicant agreed with all of the conditions of approval on: May 13, 2021
<input type="checkbox"/>	Applicant did not agree with the following conditions of approval: (list #'s)
<input type="checkbox"/>	If the Planner is unable to make contact with the applicant – describe the situation and attempts to contact.

Attachments

A	B	C
Conditions of Approval	Agency Notifications	Aerial Photo

Prepared By:
Robert M. Blevins
Principal Planner



Date:

5/24/21

Robert.Blevins@yumaaz.gov (928)373-5189

Approved By:
Alyssa Linville
Assistant Director Community Development



Date: 05/24/2021

ATTACHMENT A
CONDITIONS OF APPROVAL

The following conditions have been found to have a reasonable nexus and are roughly proportionate to the impact of the proposed rezone for the site:

Community Development Comments: Alyssa Linville, Assistant Director Community Development, (928) 373-5000, x 3037:

1. The conditions listed below are in addition to City codes, rules, fees and regulations that are applicable to this action.
2. The Owner's signature on the application for this land use action request takes the place of the requirement for a separate notarized and recorded "Waiver of Claims" document.
3. The Owner shall submit to the City of Yuma, for recordation, a signed and notarized Avigation Easement on the property acknowledging potential noise and overflight of aircraft from both daily and special operations of the Marine Corps Air Station and the Yuma International Airport.

Community Planning, Robert M. Blevins, Principal Planner (928) 373-5189:

4. A lot tie is to be completed to join the subject parcel to the adjacent commercially-zoned property.
5. Each of the conditions listed above shall be completed within two (2) years of the effective date of the rezoning ordinance or prior to the issuance of a Building Permit, Certificate of Occupancy or City of Yuma Business License for this site, whichever occurs first. If the conditions of approval are not completed within the above timeframe then the rezone shall be subject to ARS § 9-462.01.

Any questions or comments regarding the Conditions of Approval as stated above should be directed to the staff member who provided the comment. Name and phone numbers are provided.

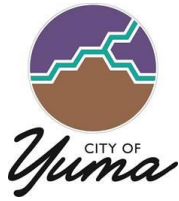
ATTACHMENT B AGENCY NOTIFICATIONS

- Legal Ad Published: The Sun (05/21/21)
- 300' Vicinity Mailing: (04/6/21)
- 34 Commenting/Reviewing Agencies noticed: (04/29/21)
- Hearing Date: (06/28/21)
- Comments due: (05/10/21)

External List (Comments)	Response Received	Date Received	"No Comment"	Written Comments	Comments Attached
Yuma County Airport Authority	YES	04/29/21	X		
Yuma County Engineering	NR				
Yuma County Public Works	NR				
Yuma County Water Users' Assoc.	YES	04/29/21	X		
Yuma County Planning & Zoning	YES	05/10/21	X		
Yuma County Assessor	NR				
Arizona Public Service	NR				
Time Warner Cable	NR				
Southwest Gas	NR				
Qwest Communications	NR				
Bureau of Land Management	NR				
YUHS District #70	NR				
Yuma Elem. School District #1	NR				
Crane School District #13	NR				
A.D.O.T.	NR				
Yuma Irrigation District	NR				
Arizona Fish and Game	YES	04/29/21	X		
USDA – NRCS	NR				
United States Postal Service	NR				
Yuma Metropolitan Planning Org.	NR				
El Paso Natural Gas Co.	NR				
Western Area Power Administration	YES	04/29/21	X		
City of Yuma Internal List (Conditions)	Response Received	Date Received	"No Conditions"	Written Conditions	Comments Attached
Police	NR				
Parks & Recreation	NR				
Development Engineer	NR				
Fire	YES	04/29/21	X		
Building Safety	NR				
City Engineer	NR				
Traffic Engineer	NR				
MCAS / C P & L Office	YES	04/29/21	X		
Utilities	NR				
Public Works	NR				
Streets	NR				

ATTACHMENT C
AERIAL PHOTO





STAFF REPORT TO THE PLANNING AND ZONING COMMISSION
DEPARTMENT OF COMMUNITY DEVELOPMENT
COMMUNITY PLANNING DIVISION
CASE TYPE – REZONE
CASE PLANNER: CHAD BROWN

Hearing Date: June 28, 2021

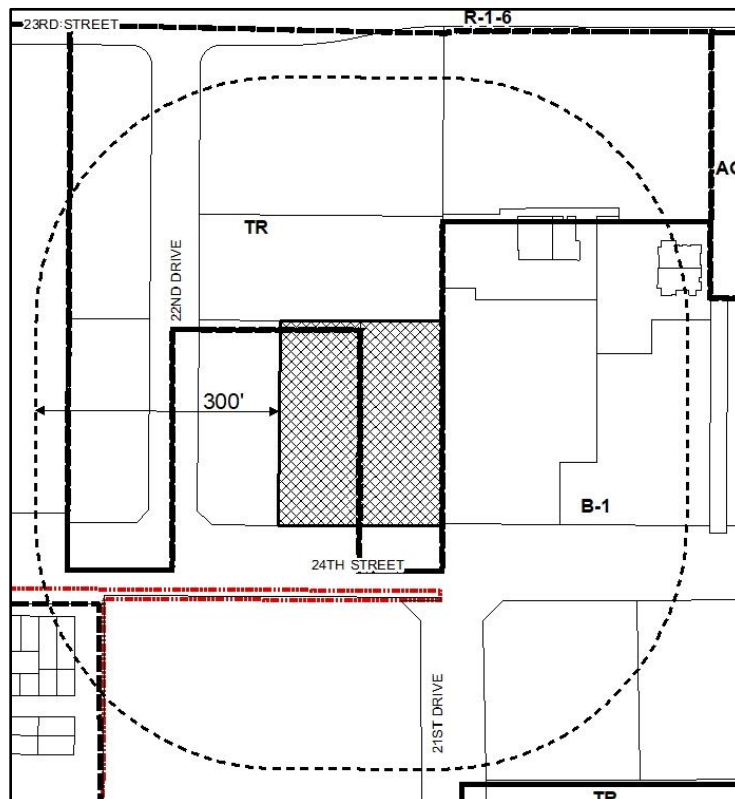
Case Number: ZONE-35018-2021

Project Description/Location:

This is a request by Shelly Gillman, on behalf of Mallappa Neelappa, for a rezone of two properties: (1) a 0.60 acre property from the Transitional (TR) District to the Medium Density Residential (R-2) District, for the property located at 2186 W. 24th St.; (2) a 0.58 acre property from the General Commercial (B-2) District to the Medium Density Residential (R-2) District, for the property located at 2212 W. 24th St., Yuma, Arizona.

	Existing Zoning	Use(s) on-site	General Plan Designation
Site	Limited Commercial (B-1) /Transitional (TR)	Vacant Parcels	Mixed Use
North	Transitional (TR)	Multi-Unit Medical Building	Mixed Use
South	Limited Commercial (B-1)	Storage Max	Mixed Use
East	Limited Commercial (B-1)	Multi-Unit Medical Building	Mixed Use
West	Limited Commercial (B-1)	Vacant	Mixed Use

Location Map



Prior site actions: Annexation: June 1, 1979 (Ord. No. 1829); Rezone: July 17, 2021 (Ordinance No. 2017); February 7, 1987 (Ordinance No. 2346).

Staff Recommendation: Staff recommends **APPROVAL** of the rezoning from the Limited Commercial (B-1) District and the Transitional (TR) District to the Medium Density Residential (R-2) District, subject to the conditions shown in Attachment A.

Suggested Motion: Move to **APPROVE** Rezone ZONE-35018-2018 as presented, subject to the staff report, information provided during this hearing, and the conditions in Attachment A.

Effect of the Approval: By approving the rezone, the Planning and Zoning Commission is recommended approval to City Council for the request to rezone from the Limited Commercial (B-1) District and the Transitional (TR) District to the Medium Density Residential (R-2) District for the properties located at 2186 W. 24th St and 2212 W. 24th St., subject to the conditions outlined in Attachment A, and affirmatively finds that the request is in conformance with the City of Yuma General Plan.

Staff Analysis: The proposed rezone encompasses two parcels. One parcel, identified as 2212 W. 24th St. is zoned Limited Commercial (B-1) District and the second parcel identified as 2186 W. 24th St. is zoned Transitional (TR) District. Both properties once featured commercial development, however, in 2012 all structures were demolished and the properties now sit vacant.

The proposed rezone to go from Limited Commercial (B-1) and Transitional (TR) District to Medium Density Residential (R-2) is a permitted action as the General Plan designation is Mixed Use. The intent of this rezone is to change the zoning district from commercial to residential in order to develop the two lots into a residential subdivision.

All properties immediately adjacent to the proposed rezone are commercial in nature, however there are single-family homes further north of the subject property and there are many residences within a half mile.

There are three planning actions that have taken place on the subject properties over the years.

1. On July 17th 1981 multiple properties were rezoned from Agriculture (AG) to Business "A" District ordinance (Z81-13).
2. On August 14, 1984 a rezone was requested to change multiple properties into General Commercial B-2) District, however during the presentation to the Planning and Zoning Commission the commission decided not to vote on the proposed rezone. Instead, the Commission directed staff to develop a text amendment to allow "mini warehouses" in the Agricultural (AG) District.
3. In February 7, 1987 a request was received to rezone from the Agriculture (AG) to the Transitional (TR) District (Z86-33).

1. Does the proposed zoning district conform to the Land Use Element?

Yes.

Land Use Element:									
Land Use Designation:				Mixed Use					
Issues:				None					
Historic District:	Brinley Avenue		Century Heights		Main Street		None	X	
Historic Buildings on Site:		Yes		No	X				

2. Are there any dedications or property easements identified by the Transportation Element?

No.

FACILITY PLANS						
Transportation Master Plan	Planned	Existing	Gateway	Scenic	Hazard	Truck
24 th St.—Minor Arterial	50 FT H/W ROW	50 FT H/W ROW				X
Bicycle Facilities Master Plan	Proposed bike route					
YCAT Transit System	Bus route 95					
Issues:	None					

3. Does the proposed rezoning of the property conform to the remaining elements of the general plan?

Yes.

Parks, Recreation and Open Space Element:									
Parks and Recreation Facility Plan									
Neighborhood Park:	Existing: Victoria Meadows Park				Future: Victoria Meadows				
Community Park:	Existing: Ponderosa Parks, Yuma Valley Park				Future: Yuma Valley Community Park Phase 2				
Linear Park:	Existing: East Main linear Park				Future: East Main Canal Linear Park				
Issues:	None								
Housing Element:									
Special Need Household:	N/A								
Issues:	None								
Redevelopment Element:									
Planned Redevelopment Area:	N/A								
Adopted Redevelopment Plan:	North End:		Carver Park:		None:	X			
Conforms:	Yes		No		N/A				
Conservation, Energy & Environmental Element:									
Impact on Air or Water Resources	Yes		No	X					
Renewable Energy Source	Yes		No	X					
Issues:	None								
Public Services Element:									

Population Impacts Population projection per 2013-2017 American Community Survey Police Impact Standard: 1 officer for every 530 citizens; Water Consumption: 300 gallons per day per person; Wastewater generation: 100 gallons per day per person		<table border="1"> <tr> <th colspan="2">Dwellings & Type</th> <th rowspan="2">Projected Population</th> <th rowspan="2">Police Impact</th> <th colspan="2">Water Consumption</th> <th rowspan="2">Wastewater Generation</th> </tr> <tr> <th>Maximum</th> <th>Per Unit</th> <th>GPD</th> <th>AF</th> </tr> <tr> <td>10</td> <td>1.7</td> <td>17</td> <td>0.03</td> <td>5,100</td> <td>5.7</td> <td>1,700</td> </tr> <tr> <td>Minimum</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>5</td> <td>1.7</td> <td>9</td> <td>0.02</td> <td>2,550</td> <td>2.9</td> <td>850</td> </tr> </table>		Dwellings & Type		Projected Population	Police Impact	Water Consumption		Wastewater Generation	Maximum	Per Unit	GPD	AF	10	1.7	17	0.03	5,100	5.7	1,700	Minimum							5	1.7	9	0.02	2,550	2.9	850
Dwellings & Type		Projected Population	Police Impact	Water Consumption				Wastewater Generation																											
Maximum	Per Unit			GPD	AF																														
10	1.7	17	0.03	5,100	5.7	1,700																													
Minimum																																			
5	1.7	9	0.02	2,550	2.9	850																													
Fire Facilities Plan:	Existing: No. 4		Future: No. 4																																
Water Facility Plan:	Source:	City	X	Private	Connection:	12" VCP																													
Sewer Facility Plan:	Treatment:	City	X	Septic	Private	Connection: 16" AC																													
Issues:	None																																		
Safety Element:																																			
Flood Plain Designation:	X		Liquefaction Hazard Area:		Yes	No X																													
Issues:	None																																		
Growth Area Element:																																			
Growth Area:	Araby Rd & Interstate 8		Arizona Ave & 16 th St		Avenue B & 32 nd St.																														
	North End	Pacific Ave & 8 th St	Estancia		None	X																													
Issues:	None																																		

4. Does the proposed rezoning conform to the adopted facilities plan?

Yes.

5. Does the proposed rezoning conform to Council's prior approval of rezonings, development agreements or subdivisions for this site?

Yes.

External Agency
Comments:

Attachment C.

Neighborhood Meeting
Comments:

No Meeting Required.

Proposed conditions delivered to applicant on: 6/21/21

Final staff report delivered to applicant on: 6/21/21

Attachments

A	B	C	D	E
Conditions of Approval	Agency Notifications	Agency Comments	Site Photos	Aerial Photo

Prepared By: 
Chad Brown
Associate Planner

Chad.Brown@yumaaz.gov

Date: 6/21/21
(928)373-5000, x 3038

Approved By: 
Alyssa Linville
Assistant Director Community Development

Date: 06/18/2021

ATTACHMENT A
CONDITIONS OF APPROVAL

The following conditions have been found to have a reasonable nexus and are roughly proportionate to the impact of the proposed rezone for the site:

Community Development Comments: Alyssa Linville, Assistant Director Community Development, (928) 373-5000, x 3037:

1. The conditions listed below are in addition to City codes, rules, fees and regulations that are applicable to this action.
2. The Owner's signature on the application for this land use action request takes the place of the requirement for a separate notarized and recorded "Waiver of Claims" document.
3. The Owner shall submit to the City of Yuma, for recordation, a signed and notarized Avigation Easement on the property acknowledging potential noise and overflight of aircraft from both daily and special operations of the Marine Corps Air Station and the Yuma International Airport.

Community Planning, Chad Brown, Associate Planner, (928) 373-5000 x 3038

4. Each of the conditions listed above shall be completed within two (2) years of the effective date of the rezoning ordinance or prior to the issuance of a Building Permit, Certificate of Occupancy or City of Yuma Business License for this site, whichever occurs first. If the conditions of approval are not completed within the above timeframe then the rezone shall be subject to ARS § 9-462.01.


Any questions or comments regarding the Conditions of Approval as stated above should be directed to the staff member who provided the comment. Name and phone numbers are provided.

ATTACHMENT B AGENCY NOTIFICATIONS

- Legal Ad Published: **The Sun** (6/4/21)
- 300' Vicinity Mailing: (5/10/21)
- 34 Commenting/Reviewing Agencies noticed: (5/13/21)
- Hearing Date: (6/28/21)
- Comments due: (5/24/21)


External List (Comments)	Response Received	Date Received	"No Comment"	Written Comments	Comments Attached
Yuma County Airport Authority	YES	5/17/20	X		
Yuma County Engineering	NR				
Yuma County Public Works	NR				
Yuma County Water Users' Assoc.	YES	5/12/21	X		
Yuma County Planning & Zoning	NR				
Yuma County Assessor	YES	5/12/21		X	
Arizona Public Service	NR				
Time Warner Cable	NR				
Southwest Gas	NR				
Qwest Communications	NR				
Bureau of Land Management	NR				
YUHS District #70	NR				
Yuma Elem. School District #1	NR				
Crane School District #13	NR				
A.D.O.T.	YES	5/11/21	X		
Yuma Irrigation District	NR				
Arizona Fish and Game	YES	5/12/21	X		
USDA – NRCS	NR				
United States Postal Service	NR				
Yuma Metropolitan Planning Org.	NR				
El Paso Natural Gas Co.	NR				
Western Area Power Administration	YES	5/12/21	X		
City of Yuma Internal List (Conditions)	Response Received	Date Received	"No Conditions"	Written Conditions	Comments Attached
Police	NR				
Parks & Recreation	NR				
Development Engineer	NR				
Fire	NR				
Building Safety	NR				
City Engineer	NR				
Traffic Engineer	NR				
MCAS / C P & L Office	YES	5/20/21	X		
Utilities	NR				
Public Works	NR				
Streets	NR				

ATTACHMENT C
AGENCY COMMENTS



Tony Holzer <Tony.Holzer@yumacountyaz.gov>
RE: Request for Comments ZONE-35018-2021

To Brown, Chad - Associate Planner

 You replied to this message on 6/4/2021 8:57 AM.

Neither of these parcels are under the ownership of Mallappa Neelappa. Per recorded deed under the Fee #2012-13265, they are owned by Elks Lane Plaza, LLC and have been since 2012 . Neither of the parcels can be located by the addresses you have given me. Those addresses do not exist. The east parcel has a situs address of 2150 W. 24th Street and can be identified by the APN #664-61-099. The west parcel has a situs address of 2170 W. 24th Street and it can be identified by the APN #664-61-100.

The Assessor's office has no comments or concerns regarding the proposed change in zoning.

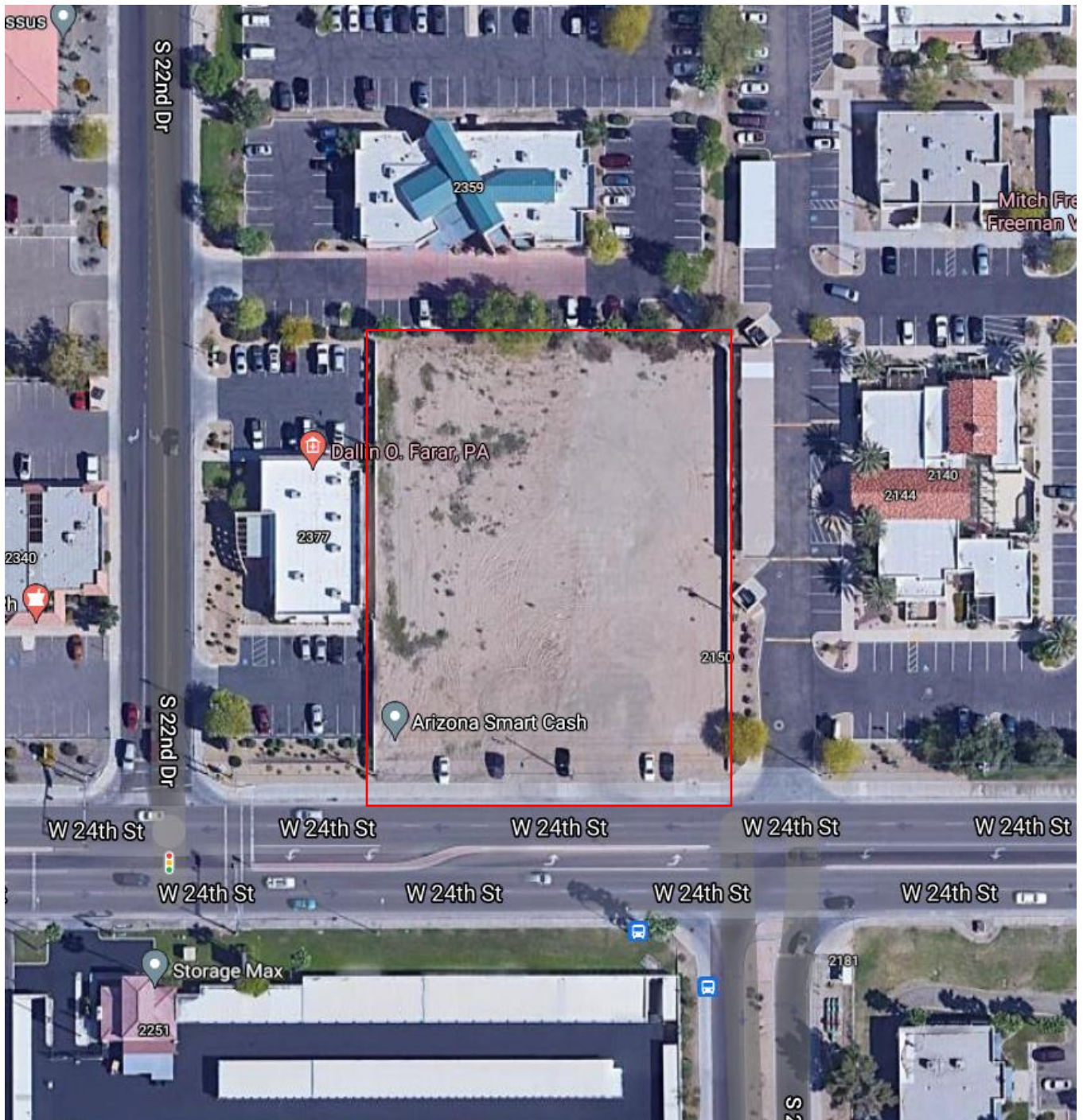
William A. (Tony) Holzer
Chief Deputy Assessor
Office of the Yuma County Assessor
192 S. Maiden Lane, 3rd Floor
Yuma, Arizona 85364

RELATIONSHIP OF THE PROPERTY OWNER TO THE OWNERSHIP ENTITY TITLES WAS SUPPLIED. THE ADDRESS ISSUE QUESTION WAS REVIEWED AND UPDATED BY THE CITY OF YUMA GEOGRAPHIC INFORMATION SYSTEMS DEPARTMENT, THE ADDRESSES CURRENTLY ON CITY RECORD WILL BE MAINTAINED.

ATTACHMENT D
SITE PHOTOS



ATTACHMENT E
AERIAL PHOTO



Red rectangle illustrates the location of the proposed rezone.